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DATE: June 21, 2005

TO: OFFICE OF PETITIONS

FROM: James Ray & Associates
Susette Flaherty, Patent Secretary

FAX NO.: 703-872-9306

NO. OF PAGES: 5 (including this page)

COMMENTS:

RE: U.S. PATENT APPLICATION
SERIAL NO. 09/819,201
"GROUND ROD DRIVER"
OUR REFERENCE: PFC 00422

Please be advised that I spoke with Christina Donnell, Petition Attorney, who informed me that a Petition to Revive and Request for Continued Examination (RCE) was not received in the Petitions Office and advised me to send the Petition to the Central Fax. Therefore, to follow is a copy of the Petition to Revive and RCE sent to the United States Patent & Trademark Office on February 25, 2005.

Please advise if any further information required.

Thank You,


Susette Flaherty
Patent Secretary

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JUN 21 2005

PTO/SB/64 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) PFC 00422
First named inventor: PAUL F. CONNELLY, JR.		
Application No.: 09/819,201	Art Unit: 3721	
Filed: 3-28-2001	Examiner: GLORIA R. WEEKS	
Title: GROUND ROD DRIVER		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 308-6916		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional.		
1. Petition fee <input checked="" type="checkbox"/> Small entity-fee \$ <u>750.00</u> (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. <input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(m))		
2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in the form of <u>petition to revive and RCE</u> (Identify type of reply): <input type="checkbox"/> has been filed previously on _____ <input checked="" type="checkbox"/> is enclosed herewith. B. The issue fee of \$ _____ <input type="checkbox"/> has been paid previously on _____ <input type="checkbox"/> is enclosed herewith.		
06/22/2005 MBINAS 00000010 09819201		750.00 DP
01-FC-2453		

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (08-03)

Approved for use 07/31/2008. OMB 0851-0031

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

February 25, 2005
Date

James O. Ray, Jr.
Signature

Telephone

Number: 412-380-0725

James O. Ray, Jr.
Typed or printed name

2640 Pitcairn Road
Address

Monroeville, Pa. 15146
Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

February 25, 2005
Date

Nancy Farabaugh
Signature

Nancy Farabaugh
Type or printed name of person signing certificate

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